

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 3567-02
BILL NO.: HB 1471
SUBJECT: Changes Placement of Individuals Found Not Guilty by Reason of Mental Disease
TYPE: Original
DATE: February 8, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	\$0 to (\$30,000)	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	\$0 to (\$30,000)	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** and **Department of Corrections** assume this proposal will not fiscally affect their agencies.

Officials from the **Department of Mental Health (DMH)** stated if they assume movement of individuals won't be necessary as the definition of secure facility includes Marshall Habilitation Center (MHC) as well as other mental health and mental retardation facilities, there would be no fiscal impact as DMH would have no additional responsibility.

However, if the intent of the proposal is to move all Mental Retardation and Developmental Disabilities (MRDD) forensic consumers to the MHC, non-forensic staff would be moved out of MHC to the other Habilitation Centers that forensics staff were transferred from. This would result in no additional staff being needed. However, DMH would incur the following cost as a result of the proposal:

- Three group homes on the MHC campus would have to be renovated to accommodate the MRDD forensic consumers. Renovations are expected to be \$10,000 for each group home, for a total of \$30,000. This amount would be a one-time expense.

Costs were charged to the General Revenue Fund.

Oversight will range the costs from \$0 (assuming no consumers will be moved) to approximately \$30,000 annually (assuming clients will be moved).

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
GENERAL REVENUE FUND			
<u>Costs - Department of Mental Health</u>	\$0 to		
One-time Renovation Costs	<u>(\$30,000)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED EFFECT ON GENERAL REVENUE FUND	<u>\$0 to (\$30,000)</u>	<u>\$0</u>	<u>\$0</u>

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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal changes the definition of "secure facility" with respect to persons who have been tried and acquitted from responsibility for criminal acts on the basis of mental disease or defect. The proposal adds the Marshall Habilitation Center as a permissible secure facility, and removes the option that an accused may be housed in a private facility under contract with the Department of Mental Health.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
Department of Mental Health
Office of State Courts Administrator



Jeanne Jarrett, CPA
Director
February 8, 2000